

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

MATLINPATTERSON GLOBAL OPPORTUNITIES  
PARTNERS II L.P.,

Debtor.

22 Civ. 8110 (PAE).  
22 Civ. 8136 (PAE),  
22 Civ. 9568 (PAE)

OPINION & ORDER

VANIO CESAR PICKLER AGUIAR *as judicial  
administrator and foreign representative of the bankruptcy  
estate of Varig Logistica S.A.*,

Appellant,

-v-

MATLIN PATTERSON GLOBAL OPPORTUNITIES  
PARTNERS, L.P., GOL LINHAS AEREAS S.A., *formerly  
known as VRG Linhas Areas S.A.*, HJDK AEROSPACIAL  
S.A., ZURICH AMERICAN INSURANCE COMPANY, et  
al.,

Appellees.

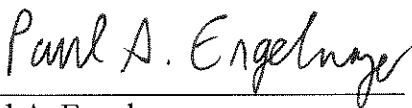
PAUL A. ENGELMAYER, District Judge:

On March 27 and 28, 2023, the Court received letters from, respectively, appellant and one appellee, regarding the pending related appeals. *See* Dkts. 22–23. The Court intends to attend to this matter with dispatch, as appellant’s letter requests. However, the Court notes that it had been alerted at the initial conference that mediation was ongoing, with the possibility of resolving some, if not many or all, issues raised by the appeals. Until March 28, 2023, the Court had not received any communications from the parties regarding the status of this mediation, or any reason to believe that mediation was now regarded as unpromising. Indeed, until March 27,

the Court had not received any updates about the underlying bankruptcy action since the November 2, 2022 telephonic conference. Further, appellee's letter states that the mediation is ongoing. To assist the Court in assessing the likelihood of the success of any potential mediation, and thereby the need for a rapid resolution of the pending motions, the Court orders the parties to file a joint letter by tomorrow, March 30, 2023, outlining the scope, status, and timeline for any ongoing mediation, and, without disclosing the parties' settlement positions, providing a candid assessment of the likelihood of success of that mediation.

To assure that the pending appeals are promptly resolved if such proves necessary, the Court will hold oral argument in person on Tuesday, April 11, 2023 at 3 p.m. in Courtroom 1305 at the Thurgood Marshall U.S. Courthouse, 40 Centre Street, New York, New York 10007.

SO ORDERED.

  
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Paul A. Engelmayer  
United States District Judge

Dated: March 29, 2023  
New York, New York